consideration. The remaining claims are directed to non-elected inventions or species and are considered withdrawn from consideration.

Claim Rejection – 35 U.S.C. §§ 102(e) & 103(a)

In the Office Action, claims 1-10 and 14-22 were rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over McNamara et al. (U.S. Patent No. 6,444,758). For the following reasons, this rejection should be withdrawn.

McNamara et al. do not disclose or suggest each of the features of the present invention, as defined by independent claim 1. McNamara et al. disclose a block copolymer additive that is "completely or partially terminated with lipophilic end groups." See Abstract and col. 5, lines 14-15 (emphasis added). This means that the terminal groups in the copolymer of McNamara et al. are insoluble in water. In contrast to McNamara et al., the copolymer of the present invention is end-capped with a reagent that provides carboxylic acid end groups, which are soluble in water. Therefore, McNamara et al. clearly do not disclose or suggest each of the features of the present invention.

Although McNamara et al. mention that the terminal lipophilic groups may be derived from di-carboxylic acids (col. 6, lines 57-58), they do not teach or suggest that the terminal groups would remain as carboxyl groups in the final copolymer. On the contrary, McNamara et al. suggest that they are not. As noted above, McNamara et al.

require that the terminal groups be lipophilic. This suggests that the terminal groups are not carboxylic acids because carboxylic acid groups are water soluble. Moreover, in one particular example, all of the branched and linear structures (1)-(4) that make up the copolymer of McNamara et al. are terminated with esters, and not carboxylic acid groups. See cols. 7 and 8. This confirms that McNamara et al. do not teach or suggest terminating the block copolymer with carboxylic acid groups as in the present invention.

Accordingly, for at least all of the reasons set forth above, McNamara et al. do not disclose or suggest each of the features of the present invention. Therefore, there is no *prima facie* case of obviousness, much less one of anticipation; and the rejection under 35 U.S.C. §§ 102(e)/103(a) should be withdrawn.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be in order, and such action is earnestly solicited.

If the Examiner has any questions concerning this Reply, or the application in general, the Examiner is invited to call the undersigned at the number below.

Respectfully submitted,

Betty J. Boshears

Betty J. Boshears
Registration No. 33,864

November 21, 2003
Date

Eastman Chemical Company
P.O. Box 511
Kingsport, Tennessee 37662
Phone: 423-229-6333
FAX: 423-229-1239

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Kristi Huff

Kristi Huff

11/21/03
Date